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Attachment 4.11-A

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT  
STANDARDS FOR INSTITUTIONS

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I. The types of institutions in which medical care and services may be provided under the Plan are as follows:

A. Institutions, or identifiable parts of institutions, licensed or approved under the rules, regulations, and standards applicable to hospital, including:

1. General and special hospitals, both public and private;
2. Mental Hospitals, both public and private.

B. Institutions, or identifiable parts of institutions, licensed or approved under the rules, regulations, and standards applicable to long term care facilities, including:

1. Skilled Nursing Facilities (SNF)
2. Intermediate Care Facilities (ICF)
3. Intermediate Care Facilities/Mental Retardation (ICF/MR)

II. The New Jersey State Department of Health has been designated in a written agreement between the New Jersey Department of Human Services and the New Jersey Department of Health as the State Authority responsible for establishing and maintaining health standards for private or public institutions that provide services to Medicaid recipients. The Department of Human Services has authority over public psychiatric hospitals.

Regulations concerning the Manual of Standards For Licensure of Long Term Care Facilities appear in the New Jersey Administrative Code, Title 8, Subtitle Chapter 39, as authorized by New Jersey Statutes Annotated 26:2H-1 et seq.

Regulations concerning the Manual of Standards for Hospital Facilities appear in the New Jersey Administrative Code, Title 8, Subtitle D, Chapter 43.B, as authorized by New Jersey Statutes, Annotated 30:11-1 et seq.

III. Made a part hereof are copies of the standards previously forwarded to be utilized by such State authority for these medical institutions, which include standards related to the factors specified in I, cited above.

IV. The State agency shall abide by the Standards for Utilization Control promulgated by the Secretary of Health and Human Services.

NOTE: The New Jersey Medicaid Program is operating under a Section 1861 waiver of the UC requirements in SNFs.

Regulations concerning the Licensing of Nursing Home Administrators appear in the New Jersey Administrative Code, Title 8, Subtitle D, Chapter 34 as authorized by New Jersey Statutes Annotated 26:2H-27 and 26:2H-28.

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V. The State agency will provide for cooperative arrangements with the standard-setting authority to upgrade and extend needed institutional care.

VI. Periodic Medical Review and Medical Inspection in Long Term Care Facilities and Mental Hospitals.

A. With respect to patients eligible under this State Plan who are admitted to a skilled nursing facility, intermediate care facility, or institution for mental disease or who make application for assistance under the plan while in such a facility, the State agency will:

1. Provide for a medical review (including medical evaluation) of the need for care in such a facility, a written plan of care, and, where applicable, a plan of rehabilitation. Such review and plan will be made by the patient's attending physician. Methods and procedures will be followed in each case which assure that, prior to admission or to authorization of payment, as may be appropriate, the requirements of 42 CFR 456.160 (Mental Hospitals), 456.280 (SNF's), and 456.360 (ICF's) with respect to complete medical evaluation, plan of care, and written report are met.

2. Provide for periodic inspections to be made in all facilities caring for patients under the plan by one or more medical review teams which are composed of one or more physicians and other appropriate health and social service personnel, functioning under the physician member's supervision and having no member employed by or with any financial interest in any nursing home.

3. Provide for methods and procedures in accordance with Subpart 1. 42 CFR 456.600 which will assure that:

a. Inspections can be made at appropriate intervals in all facilities caring for such patient, with at least one inspection made in each facility not less often than annually;

b. No physician member of a team inspects the care of patients for whom he is attending physician;

c. No facility is notified of inspection more than 48 hours before team arrival; and

d. The inspection includes personal contact with and observation of each patient and review of his medical record.

4. Provide for methods and procedures in accordance with 42 CFR 456.611 which will assure that requirements for content, prompt submittal and processing of reports are met and that State agency takes appropriate follow-up action.

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VII. The State agency will provide for consultative services by health agencies and other appropriate agencies of the State to hospitals, nursing homes, home health agencies, clinics, laboratories, and other appropriate institutions to assist them (a) to qualify for payment for authorized services rendered to persons eligible for medical assistance; (b) to establish and maintain appropriate fiscal records, and (c) to provide information needed to determine the amounts of payments properly due for services rendered.

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